



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/803,805	03/18/2004	Aelan Mosden	FKL-005	5615
37694 7590 06/13/2008 WOOD, HERRON & EVANS, LLP (TOKYO ELECTRON) 2700 CAREW TOWER 441 VINE STREET CINCINNATI, OH 45202				
EXAMINER				
BAND, MICHAEL A				
ART UNIT		PAPER NUMBER		
1795				
NOTIFICATION DATE		DELIVERY MODE		
06/13/2008		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

dgoodman@whcpatent.com

usptodock@whcpatent.com

**Advisory Action**  
**Before the Filing of an Appeal Brief**

**Application No.**

10/803,805

**Applicant(s)**

MOSDEN, AELAN

**Examiner**

MICHAEL BAND

**Art Unit**

1795

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 28 May 2008 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.  
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because:  
(a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ They raise the issue of new matter (see NOTE below);  
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
The status of the claim(s) is (or will be) as follows:  
Claim(s) allowed: \_\_\_\_\_.  
Claim(s) objected to: \_\_\_\_\_.  
Claim(s) rejected: \_\_\_\_\_.  
Claim(s) withdrawn from consideration: \_\_\_\_\_.

**AFFIDAVIT OR OTHER EVIDENCE**

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.  
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_.  
13. ☐ Other: \_\_\_\_\_.

/Alexa D. Neckel/  
Supervisory Patent Examiner, Art Unit 1795

Continuation of 3. NOTE: The new independent claims contain limitations which now alter the scope of the previous dependent, now independent, claims and thus would require further consideration..

Continuation of 11. does NOT place the application in condition for allowance because:

1. On p. 9, the Applicant's argues that Fichh teaches a maintenance system only for uranium (i.e. radioactive) enrichment systems and is therefore not applicable to a maintenance system for semiconductor processing.

The Examiner respectfully disagrees. As stated in Fichh, a "modular processing system" (abstract) utilizing a vacuum system used commonly in uranium separation in addition to "the fabrication of electronic components and circuits [i.e. semiconductors]" (col. 1, lines 11-17). Mooring et al has also been combined with Fichh with proper motivation given above since Fichh does not distinctly point towards a wafer (i.e. semiconductor) transfer system.

2. On p. 10, the Applicant argues that neither Fichh or Mooring et al teach a semiconductor processing system that stores a maintenance item and an exchange system provided to transfer a maintenance item between the wafer transfer system of the processing system and the maintenance system without exposing the vacuum environment to the outside as recited in claim 3.

The Examiner respectfully disagrees and submits the following from the rejection of claim 3: "Fichh further discloses transferring an extractor or vaporizer assemblies (i.e. maintenance item) from a process module to transfer cask without loss of vacuum for equipment maintenance (abstract; col. 2, lines 17-28). It is inherent or obvious that since the function of a transfer cask is to replace equipment in need of maintenance (abstract) that the transfer cask transfers the maintenance item (i.e. assemblies) to a maintenance system. Since the assemblies are stored in the maintenance system for repair, the maintenance system is a storage assembly and therefore is inside the maintenance system. Fig. 2 depicts extractor or vaporizer assemblies (i.e. first and second maintenance item) [30], [40] removed via an exchange system [126]-[129]. It is also either inherent or obvious to use an exchange system of similar design to fig. 2 to transfer the maintenance item from the transfer cask to a maintenance system to limit the loss of vacuum".

3. On p. 10, the Applicant argues that the references do not teach the limitations of claims 9-10.

The Examiner respectfully disagrees and submits the following: For the rejection of claim 9, "Fichh further depicts in fig. 2 a vaporizer assembly [30] that has a shield [26] and an electrical ground plate with the associated cooling and electrical services (i.e. insulators) (abstract). The extractor assemblies [40A], [40B] have plates (fig. 2, [42], [43]; col. 9, lines 18-23)" and for the rejection of claim 10 "Fichh further depicts in fig. 2 a controller [135] coupled to a module [12] and transfer cask [130]. Fichh also discusses how the controller controls the arms to remove the extractor assembly (i.e. maintenance item) while "maintain[ing] a vacuum seal between the casks 130 and chamber interiors 18" (col. 6, lines 62-68; col. 7, lines 1-39). [ ] Fichh also notes that both extractor and vaporizer assemblies have transfer casks (col. 2, lines 21-25), thus the method for removing a vaporizer assembly is similar to the method for an extractor assembly".

4. On p. 10, the Applicant argues that the references do not teach the processing module of claim 17 being an ALD module, a deposition module, a coating module, a patterning module, a developing module, a metrology module, a thermal processing module, or a cleaning module.

The Examiner respectfully disagrees and submits the following from the rejection of claim 17: "Fichh further discloses a vaporizer assembly (i.e. thermal processing module) (abstract). Since modified Fichh also discusses how the process is used for the fabrication of electronic components and circuits, it is either inherent or obvious that a deposition (i.e. coating) module or an etching (i.e. patterning) module is present as evidenced by Mooring et al (US Patent No. 6,267,545; col. 1, lines 26-36)".